S.B. CIVIL SECOND APPEAL NO.213 OF 2004.

DATE OF ORDER ::: 06.10.2006.

Hon'ble Mr. Narendra Kumar Jain J.

Mr. B.L. Gupta, Counsel for appellant.

Learned counsel for the appellant wants to withdraw this second appeal as well as the application under Section 5 of the Limitation Act in view of the judgment of the Hon'ble Supreme Court in the case of Rajasthan State Road Transport Corporation & Others Vs. Zakir Hussain reported in **(2005 (7) S.C.C. Page 447).**

Prayer made is allowed.

The second appeal as well as the application under Section 5 of the Limitation Act, both are dismissed as withdrawn. The appellant will be at liberty to approach before the appropriate forum in accordance with the provisions of law.

(Narendra Kumar Jain) J.